



Ann Machado <amachado@portlandmaine.gov>

502 - Zoning approval for TI permit?

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Tue, Jan 9, 2018 at 10:13 PM

To: Ann Machado <amachado@portlandmaine.gov>

Cc: "Mary E. Costigan" <mcostigan@bernsteinshur.com>, kcook@portlandmaine.gov, Jeanie Bourke <jmb@portlandmaine.gov>, kiyalachsmith@gmail.com

Good morning Ann, Yesterday Jeanie Bourke asked me to check with you about zoning approval before she can issue the long awaited Tenant Improvement permit.

Your email of 11/21/17 to me posed the question: "... *Is this really going to be a Neighborhood Center or will it be more of a personal service space for yoga, movement and wellness classes? Also although not required, part of the definition of Neighborhood Center is "usually owned and operated by a public or nonprofit group or agency. Who will be operating the space? If the use is changed to personal service it would require two parking spaces which would be met by the seven spaces that were approved."*

Typical activities

The studio is a flexible space to accommodate a variety of activities that appeal and attract a broad range of neighborhood residents. The business is privately operated and some likely activities that might occur in the studio include:

- Early morning adult yoga class (*recreational, health use*)
- Morning activity for parents with their young children, after they have walked their older children to Longfellow (*social use*)
- After-school dance classes for Lincoln Middle Schoolers and Deering High Schoolers (*artistic, educational, recreational, health use*)
- Late afternoon adult yoga class (*recreational, health use*)
- Early evening adult yoga class (*recreational, health use*)
- Evening adult knitting or ukulele groups (*artistic, social, educational, culture use*)
- Evening dance adult classes (*artistic, social, educational, recreational, health, culture use*)
- Weekend birthday parties/events as joint activity between the Studio (movement) and the bakery (decorating) (*social, educational, health uses*)

As previously discussed in the ZBA application, the studio primarily serves the neighborhood and most of attendees purposefully look forward to walking to these activities. That's why we all love to live in this neighborhood! In addition there will be many new active senior residents in the next few years (Mother House projects) and walking to these types of activities will be a big attraction and benefit.

Are these activities a Neighborhood Center or Personal Service?

The Zoning Use Definitions (14-47) - Neighborhood Center definition:.... A *portion of a building used for recreational, artistic, social, educational, health, culture, or similar activities and services, A neighborhood center is 10,000 square feet or less.* Personal service definition: *Establishments engaged in providing services involving the care of the*

person or his apparel, such as laundries, dry cleaning establishments, photographic studios, beauty and barber shops but not including commercial or industrial laundries.

Parking

Either way, as your email above notes, 7 joint use spaces approved by the ZBA in November more than meet parking requirements – whether the use is neighborhood center (1 space) or personal service (2 spaces).

Therefore we conclude there are no zoning concerns and hope you concur. If so please communicate to Jeanie so the long awaited Tenant Improvement permit can be issued as soon as possible.

Thanks for your help, Denis

From: denis@lachmanarchitects.com [mailto:denis@lachmanarchitects.com]
Sent: Tuesday, January 09, 2018 3:27 PM
To: 'jlt@portlandmaine.gov'; 'Jeanie Bourke'
Cc: 'Mary E. Costigan'; 'kcook@portlandmaine.gov'; 'kiyalachsmith@gmail.com'; 'Patrick Ducas'; 'Bill Pearson'; 'Veilleux, Marc'
Subject: 502 - SFM permit attached

Hi Jason and Jeanie, We just received the State Fire Marshal permit, attached. Also attached is the latest A7.1 Tenant Improvement approved by the SFM. Please note the SFM does not require a 2nd exit from the Yoga Studio, so A7.1 is back to the original design with a single exit.

We understand obtaining this SFM permit was the single remaining issue holding up the TI Permit to be released. With this SFM permit, please, please, please issue the TI permit so we can move forward.

Thanks for your help, Denis

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